

From: Jason
To: Microsoft ATR
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Subject: Microsoft Settlement

The proposed settlement is worse than a slap on the wrist for Microsoft.

Microsoft has used many tactics to leverage it's monopoly in the computer market. The proposed settlement does not address these tactics or effectively provide recourse.

The proposal does nothing to stop Microsoft to keep using Windows licenses as leverage to increase market share.

It still allows Microsoft to use punitive measures against OEMs that ship computers without Microsoft's operating system. (Even if the end user has no intention of using a Microsoft operating system).

It does not prohibit license terms used by Microsoft to prohibit open source apps from running properly in Windows and fails to prohibit intentional incompatibilities that Microsoft engineers place in Microsoft apps to keep them from running on other operating systems.

The suggestion that Microsoft should "donate" software to schools is a laughably transparent coup de grace for Microsoft. It's not a punishment to be given a billion dollar competitive advantage in one of the few areas where your company doesn't completely dominate the market.

Since Microsoft more or less copied the Macintosh interface, a good start for a recourse would be to require Microsoft to pay a small royalty to Apple Computer for every copy of Windows 95 and Windows 98 sold. (under the provision that Apple be required to use a percentage of this money to subsidize low cost computer equipment to schools.)

.net is the next mechanism that Microsoft is trying to use as a control lever. If .net technologies only work on IE running on Windows, Microsoft can use .net to further leverage it's position while forcing users to interact with the internet on Microsoft's terms. This needs to be addressed, possibly by making .net an open source project under the auspices of Netscape and/or Apple. Netscape might be able to monetize .net and ensure that .net technologies work on all browsers and operating systems.

I don't pretend to know the feasibility of such solutions and they may well be ridiculous but I do know this, Microsoft should not be rewarded for it's behavior.